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### President's Page

H. A. Mackoff

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# BAR BRIEFS

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—BY—

## STATE BAR ASSOCIATION OF NORTH DAKOTA

M. L. McBride, Editor

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### PRESIDENT'S PAGE

This being my first letter to the members of the State Bar, I desire to express to you my appreciation for the honor conferred upon me. I shall try to serve you faithfully. The office carries many responsibilities and I am pleased to have the wholehearted cooperation and able assistance of our Vice President, Mack V. Traynor.

I know I speak for the Bar when I state that the splendid administration of our retiring President, Roy A. Ployhar, commands the respect and appreciation of the lawyers in the State. We commend him for his fine work and congratulate him for a job well done. He set a high standard worthy of emulation.

I have not been in office long enough to have any definite plans for the ensuing year. We intend to hold our first meeting of the Executive Board the early part of October and expect that a number of matters for the good of the Association, will be brought up. In the meantime, I should like to suggest, that to have a successful state organization, we must give serious attention to our District and County Bar Associations. It is not enough to merely hold an annual meeting of the State Bar. We must have an active interest throughout the year. This, it seems to me, can best be accomplished through frequent District and County Bar Association meetings. Travel restrictions during the

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war made it necessary to dispense with our annual meeting, and that was true of the district meetings. With the restrictions removed we should be able to resume these county and district meetings at fairly frequent intervals. The ideas and suggestions developed there may be channeled to the State Association where they may be sorted and form the basis of activities that will reflect the thinking of the Bar as a whole, and result in a more unified and articulate body.

During the past few Annual State meetings, the consensus was that the Sectional Assemblies were the highlights of the meetings. Some very fine outlines and briefs were prepared by the leaders of the assemblies and printed in the brochure distributed at the Valley City meeting. These can serve as a nucleus for county and district meetings. The one hour discussion of each topic allotted at the annual meeting is necessarily too short. Some of the topics were too important to be disposed of in such short time. Because several topics were discussed at different assemblies during the same hour, some members missed attending other sectional meetings of equal interest to them. Then there are members who were unable to attend the meeting at all. The county and district meetings would afford the membership an opportunity for further study and a more thorough discussion of some of these topics. The six topics covered in the brochure published this year, could very easily furnish the basis for at least three or four county and district meetings. Why not try this experiment?

May I also add that I shall truly welcome suggestions from the members of the Bar for the betterment of our Association.

Sincerely yours,  
H. A. MACKOFF  
President.

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### OUR SUPREME COURT HOLDS

In Otto Werner, Pltff. and Applt. vs. Carolina Werner, Cass County, North Dakota, a public corporation, and all other persons unknown claiming any estate or interest in or lien or incumbrance upon the property described in the complaint, Defts. and Gustave Werner, Intr. and Respt.

That where on May 15, 1940, a county instituted proceedings to terminate the owner's right of redemption to land sold to the county for failure to pay taxes for the years 1934 and 1935 the procedure to be followed was that prescribed by Ch. 235, Sess. Laws N. D. 1939.

That where a county seeks to acquire title to land sold to the county at tax sale the statutory notice of expiration of the period of redemption is jurisdictional. Until it is served upon all of the parties prescribed by the statute in the manner provided therein and the period of redemption has expired, the right to redeem remains as to all.

That an essential element of equitable estoppel is a representation which may consist of words, acts or silence, believed and relied upon by the party claiming the benefit of the estoppel which induced him to act or refrain from acting, to his prejudice.

From a judgment of the District Court of Cass County, Hon. P. G. Swenson, Judge. Plaintiff appeals.

AFFIRMED. Opinion of the Court by Morris, J.